

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	8:08CR164
Plaintiff,)	
)	
vs.)	ORDER
)	
JASON R. PUTNEY,)	
)	
Defendant.)	

This matter is before the court on the Petition for Action on Conditions of Pretrial Release (Filing No. 14). On May 20, 2008, defendant Jason R. Putney (Putney), was ordered released upon conditions pending trial (Filing No. 8). Putney was to reside in Omaha, Nebraska, under electronic monitoring, and comply with other conditions of release. On June 3, 2008, Pretrial Services Officer Lisa L. Caviness submitted a Petition for Action on Conditions of Pretrial Release alleging Putney had violated the conditions of his release by committing an offense under state law. A warrant for Putney's arrest was issued.

Putney appeared before the undersigned magistrate judge on June 30, 2008. He was represented by Wesley S. Dodge and the United States was represented by Assistant U.S. Attorney Michael P. Norris. After being advised of the nature of the allegations, his rights, and the consequences if the allegations were found to be true, Putney denied the allegations. The court took judicial notice of the Pretrial Services Violation Report. There was no other evidence presented by either side. The court finds the allegations of the petition are generally true and finds the defendant has violated the conditions of his release.

After providing both parties an opportunity for allocution as to disposition and considering the report of Pretrial Services, I find the Order Setting Conditions of Release should be revoked. The court finds there is no other condition or combination of conditions that would reasonably assure the safety of the community in the event Putney were released upon conditions.

IT IS ORDERED:

1. The Petition For Action on Conditions of Pretrial Release (Filing No. 14) is granted.
2. The May 20, 2008 Order Setting Conditions of Release of Jason R. Putney (Filing No. 8) is hereby revoked.
3. The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.
4. The U.S. Marshal shall place a detainer with local authorities having custody of Putney.

DATED this 30th day of June, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge